



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/06/04, by Renee Kosel

SYNOPSIS AS INTRODUCED:

105 ILCS 5/29-6.4

Amends the Transportation Article of the School Code. Makes a technical change in a Section concerning non-contract transportation.

LRB093 17860 NHT 43542 b

1 AN ACT concerning schools.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 29-6.4 as follows:

6 (105 ILCS 5/29-6.4)

7 Sec. 29-6.4. Non-contract transportation; bids;
8 reimbursement. A school board of a school district that
9 provides transportation of its pupils to and from school on
10 buses that are owned by the district that are operated by
11 drivers who are employed by the district shall, if it receives
12 a timely request from an interested private school bus
13 contractor that the district provide that transportation under
14 contract, solicit sealed bids for that purpose. For purposes of
15 this Section, a request shall not be considered timely unless
16 it is made in writing by certified mail, return receipt
17 requested, addressed to the school board of the district at the
18 administrative offices or any school of the district,
19 postmarked not more than 24 months nor less than 3 months
20 before the expiration of the collective bargaining or other
21 agreement that is in effect at the time the request is made and
22 that governs the terms and conditions of employment of the
23 school bus drivers employed by the district. At the conclusion
24 of the bidding process, the school board shall publicly
25 announce the district's fully allocated costs of providing
26 transportation of its pupils to and from school under its
27 present system and thereupon may (i) elect to enter into a
28 contract as provided in Section 29-6.1 of this Code with the
29 lowest responsible bidder for transportation of the district's
30 pupils to and from school or (ii) elect to continue providing
31 transportation of its pupils to and from school under its
32 present system. In the event the school board elects to

1 continue providing transportation of the district's pupils to
2 and from school under its present system even though the
3 district's fully allocated costs of doing so exceed the amount
4 of the lowest responsible bid received by the school board for
5 transportation of the district's pupils to and from school, the
6 school board shall publicly announce at a regularly scheduled
7 meeting of the board held within 30 days after making its
8 election to continue providing pupil transportation under its
9 present system (i) the fully allocated costs of providing
10 transportation of the district's pupils to and from school
11 under its present system, and (ii) the amount of each of the
12 sealed bids submitted to the school board, identifying which of
13 the sealed bid amounts was the lowest responsible bid.

14 As used in this Section the term "fully allocated costs"
15 includes both the fixed and variable direct costs of the labor,
16 capital, and material resources that are used by the school
17 district exclusively for purposes of providing transportation
18 of the district's pupils to and from school plus that portion
19 of the district's shared costs as is fairly allocable to the
20 products, services, and facilities necessary to provide
21 transportation of the district's pupils to and from school.
22 Direct costs of labor, capital, and material resources used
23 exclusively to provide pupil transportation include the wages,
24 payroll costs, and associated fringe benefits of school bus
25 drivers, mechanics, and any supervisory or administrative
26 personnel whose services relate exclusively to pupil
27 transportation personnel or services, fuel, lubricants, tires,
28 tubes, related material costs incurred in providing pupil
29 transportation, depreciation costs associated with school
30 buses and other vehicles, including spare vehicles, used to
31 provide pupil transportation, and costs of facilities and
32 equipment maintained exclusively to service, garage, or park
33 vehicles used for pupil transportation purposes. "Shared
34 costs" means the aggregate cost of the labor, capital, and
35 material resources that are used in common by the district for
36 a multiplicity of purposes, including the purpose of providing

1 transportation of the district's pupils to and from school. The
2 costs of the management, administration, and underlying
3 infrastructure that support a multiplicity of services
4 provided by the school district (including pupil
5 transportation services) constitute shared costs within the
6 meaning of this Section, and to the extent they are fairly
7 allocable to pupil transportation services they are included
8 within the term fully allocated costs as used in this Section.
9 The State Board of Education shall promulgate rules setting
10 forth the manner in which a district's fully allocated costs of
11 providing transportation of its pupils to and from school under
12 a non-contractual system shall be determined and computed for
13 purposes of this Section. However, those rules shall be
14 consistent with the provisions of this paragraph and shall
15 follow recognized principles of fully allocated costing
16 analysis in the transit industry, including generally accepted
17 methods of identifying and estimating the principal cost
18 elements of maintaining and operating a pupil transportation
19 system.

20 (Source: P.A. 89-151, eff. 1-1-96; 89-626, eff. 8-9-96.)